

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

RYAN DENNIS,

Plaintiff,

**1:14-cv-1084
(GLS/CFH)**

v.

WILLIAM V GRADY et al.,

Defendants.

SUMMARY ORDER

On October 24, 2014, plaintiff *pro se* Ryan Dennis filed late objections to a September 23, 2014 Report-Recommendation and Order (R&R) issued by Magistrate Judge Christian F. Hummel. (Dkt. Nos. 7, 10.) With no objections filed on or before October 10, 2014—the deadline within which to file such objections—the court reviewed the R&R, adopted it in its entirety, and entered judgment in favor of defendants. (Dkt. Nos. 8, 9.)

Even if Dennis' difficult-to-comprehend objections were timely filed, the court would find them to be meritless. The only specific objection to be gleaned from Dennis' filing is his contention that he seeks equitable relief, not damages. (Dkt. No. 10 at 3.) Although unsaid, it appears that Dennis is implying that the well-known rule of *Humphrey v. Heck*, 512 U.S. 477, 486-87 (1994), does not apply as urged in the R&R because the object of

his complaint is equitable relief. Considering this a specific objection that would invoke *de novo* review, see *Almonte v. N.Y. State Div. of Parole*, No. Civ. 904CV484GLS, 2006 WL 149049, at *4-6 (N.D.N.Y. Jan. 18, 2006), the argument nonetheless fails. As the Supreme Court has explained, the *Heck* rule applies “no matter the relief sought (damages or equitable relief).” *Wilkinson v. Dotson*, 544 U.S. 74, 82 (2005); see *Caswell v. Green*, 424 F. App’x 44, 45 (2d Cir. 2011).

The remainder of Dennis’ “objections” are general and would compel review only for clear error, see *Almonte*, 2006 WL 149049, at *6. By its previous adoption of the R&R, the court has already found no clear error. (Dkt. No. 8.) For all of the foregoing reasons, Dennis’ objections are rejected and denied.

Accordingly, it is hereby

ORDERED that Dennis’ objections (Dkt. No. 10) are **REJECTED** and **DENIED**; and it is further

ORDERED that the Clerk serve a copy of this Summary Order on Dennis.

IT IS SO ORDERED.

November 26, 2014
Albany, New York

Gary L. Sharpe
Gary L. Sharpe
Chief Judge
U.S. District Court